

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

In re: Ethicon, Inc.,  
Pelvic Repair System  
Products Liability Litigation

MDL: 2327

THIS DOCUMENT RELATES TO:

**APPLICATION OF BONNIE SPENCER FOR APPOINTMENT  
TO THE PLAINTIFF'S STEERING COMMITTEE**

In accordance with Paragraph 19 of Pretrial Order No. 1 (Initial Conference and Case Management Order), the undersigned makes this Application to the Court for appointment to the Plaintiffs' Steering Committee, as follows:

1. I am the managing partner of The Spencer Law Firm, ("the Firm"), established in 1993 in Houston, Texas. The Firm specializes in complex financial litigation, mass torts, and products liability matters and has successfully represented thousands of clients. I have been licensed in the State of Texas for 31 years and collectively, the Firm has nearly 100 years of combined litigation experience.
2. I was lead counsel in approximately 150 cases involving defective breast implants against Defendants Dow Corning, Bristol Meyers, 3M, McGhan and Surgitek beginning in 1993 through the present. These cases were consolidated for discovery purposes in an MDL. They were complicated further by the Dow Corning bankruptcy; a major defendant who had manufactured component parts for virtually all of the other defendants. The prosecution of these defective and dangerous products cases involved thousands of hours and many years of work in an ever evolving body of science and law. Virtually all of these cases have been successfully concluded.
3. I am currently the lead attorney in Cause No. 04:10-cv-03330; ***Patrick McKenna, Ralph Miller, and Michael Swiney v. TaxMasters, Inc. et al***; in the United States District Court for the Southern District of Texas, Houston Division, a federal case awaiting class certification. The class will number in the thousands. I was Lead Counsel in a False Claims Act case which the Justice Department and the Department of Education accepted; ***Civil Action No. H-99-1138; James Bowman, Jermon Brown,***

*Donna Buzzelli et al v. Computer Learning Centers, Inc. et al.* The case led to a request for disgorgement of \$187,000,000.00.

4. I was appointed Lead Class Counsel in Cause No. H-03-4359, styled *Samuel Giancarlo, Individually and on Behalf of All Others Similarly Situated v. UBS Financial Services, Inc. UBS Securities, L.L.C. and UBS AG*. This suit is currently pending in the United States District Court for the Southern District of Texas, Houston Division, before the Honorable Melinda Harmon.

5. I am also co-counsel in Cause No. H-02-0851, styled *Kevin Lamkin, Janice Schuette, and Robert Ferrell, Individually and on Behalf of All Others Similarly Situated v. UBS Painewebber, Inc. et al.* I developed the original theories and causes of action pled and legal strategies to capture this international bank group that had managed a focused set of equity investors that purchased or sold Enron securities. This suit is currently pending in the United States District Court for the Southern District of Texas, Houston Division, before the Honorable Melinda Harmon. These two cases involve alleged securities fraud on the part of the defendants involving Enron stock or debt, are awaiting class certification and are the products of my work product from inception to filing. This is the first time, to our best knowledge, that a woman lawyer has been appointed lead counsel in two potential securities classes of this complexity and magnitude. Additionally, the entire case theory was prepared and defended by me through the notoriously difficult motion to dismiss phase, made especially difficult because my strict liability theory of some of the causes of action has never been plead before in any court. With this appointment, I have become one of the rare few qualified lawyers in the United States that has passed the rigorous scrutiny of a Federal court as having the expertise, knowledge, skill and ability to manage a complex class action worth approximately 2.3 billion dollars for its thousands of class participants.

7. I am in the process of reviewing numerous cases involving vaginal mesh products and have actively prepared and have filed some of these cases. The Firm is working with several other law firms regarding these products, and has traveled to meet with other plaintiffs' lawyers to develop the theories on these cases, and focus on the key issues, problems and law that are necessary to make accurate evaluations of these cases. To date, the Firm has engaged in extensive research and investigation of the

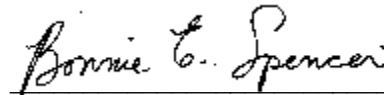
product, the medical history, its impact on women, the FDA's denouncements re same, and Defendants' business practices. I have committed my Firm's resources to get to know other lawyers working on these matters and have sent my senior associate to a seminar recently held in Florida to caucus with a large cadre of lawyers that will be the plaintiffs' lawyers prosecuting these cases throughout the United States.

8. My experience both in managing large, extraordinarily complex cases and in coordinating groups of attorneys will assist this Court in promoting a just and efficient resolution to the Vaginal Mesh Products Litigation. I would be honored if I was chosen by the Court to serve on the Plaintiffs' Steering Committee. My Firm has the resources, the willingness, and availability to commit to this important project. From the efforts I have expended thus far on this project and on past projects, I can assure the Court that I am qualified to serve on the Plaintiffs' Steering Committee in this MDL. I respectfully request Your Honor's appointment to the Plaintiffs' Steering Committee in the Ethicon, Inc. Pelvic Repair System Products Liability Litigation.

Date: 03/30/2012

Respectfully submitted,

**THE SPENCER LAW FIRM**

A handwritten signature in cursive script that reads "Bonnie E. Spencer". The signature is written in dark ink and is positioned above a horizontal line.

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